

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

SUSAN H. WILLIAMS, DECEASED, BY RUTH SNELL, MOTHER AND SUBSTITUTED PARTY	§ § § § § § v.	PLAINTIFF
		CAUSE NO. 1:07CV643-LG-JMR
MICHAEL J. ASTRUE, COMMISSIONER OF SOCIAL SECURITY	§ §	DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION
DENYING PLAINTIFF'S MOTION TO REMAND**

This cause comes before the Court on the Report and Recommendation of United States Magistrate Judge John M. Roper entered in this cause on October 26, 2007. Magistrate Judge Roper reviewed the Plaintiff's Motion to Render and/or Remand [10], and determined that it is unnecessary to remand this case for further fact-finding, and rendering a decision in Plaintiff's favor is unwarranted at this stage of the proceedings. In Magistrate Roper's opinion, the record is sufficient to allow Plaintiff to file her appeal brief. No party filed an objection to the Magistrate Judge's conclusions or recommendation. Therefore, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.1989).

After review of this matter, the Court, being duly advised in the premises, finds that said Report and Recommendation is nearly clearly erroneous nor contrary to law. It should therefore be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and

Recommendation of United States Magistrate Judge John M. Roper entered in this cause on October 26, 2007 should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff's Motion to Render and/or Remand [10] is **DENIED**.

SO ORDERED AND ADJUDGED this the 30th day of November, 2007.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE